

In The United States Court of Federal Claims

No. 10-242C

(Filed: November 24, 2010)

VALLEY REALTY COMPANY,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On November 23, 2010, plaintiff filed a motion to dismiss count two of the complaint. This motion is hereby **GRANTED**. Plaintiff expressed a willingness to take the steps necessary to perfect subject matter jurisdiction by filing claims related to count two with the contracting officer and, if necessary, by bringing these issues back before this court via a new complaint to be consolidated with the complaints already pending before this court. Should this process require plaintiff to file a further complaint with the court, the Clerk shall waive the filing fee for such a complaint and assign the case to the undersigned.

IT IS SO ORDERED.

s/ Francis M. Allegra
Francis M. Allegra
Judge